

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Case No. 1:24-cr-172

Plaintiff,

v.

Hon. Robert J. Jonker

SCOTT MICHAEL ELAM

Defendant(s).

**GOVERNMENT'S
INITIAL PRETRIAL CONFERENCE
SUMMARY STATEMENT**

I. DISCOVERY

A. Statements of Defendant

1. Oral Statements (Rule 16(a)(1)(A))

☐

There are no written records of oral statements or other oral statements as defined in Rule 16(a)(1)(A).

☒

There are the following written records of oral statements:

KCSO report 24-051469 - interview 07/17/24

The substance of which

☐

has been disclosed to defense counsel.

☒

will be disclosed to defense counsel by November 22, 2024.

2. Written or Recorded Statements (Rule 16(a)(1)(B))

☐

There are no written or recorded statements or grand jury testimony of defendant.

☒

There are the following written or recorded statements or grand jury testimony:

police video recording - interview 07/17/24

All written or recorded statements

☐

have been disclosed to defense counsel.

☒

will be disclosed to defense counsel by November 22, 2024.

B. Defendant's Prior Record (Rule 16(a)(1)(D))

- ☐ The Government has made due inquiry and is not aware of any prior criminal record.
- ☒ The Government has disclosed defendant's prior criminal history.
- ☐ The Government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects (Rule 16(a)(1)(E))

- ☐ The Government has no documents, tangible objects, or physical evidence required to be disclosed.
- ☒ The Government has the following documents, tangible objects, and physical evidence:
- ☐ Drug Paraphernalia ☐ Drug Records ☐ Inventory (attached)
- ☒ Controlled Substances: SW Items 16 + 17 (psilocybin, mushrooms)
- ☐ Records: _____
- ☐ Firearms: _____
- ☒ Other: Defendant's phone and download; Blink videos (13)
- ☒ The Government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:
- ☒ State (see attached)
- ☐ Federal:
- Case No. _____ Re: _____
- Case No. _____ Re: _____
- Case No. _____ Re: _____
- ☐ They have been made available for inspection and copying by defense counsel.
- ☒ Defense counsel should make arrangements with:
- AUSA Olivia Kay Ghiselli

D. Reports of Examinations and Tests (Rule 16(a)(1)(F))

- ☐ The Government has no reports of examinations or tests required to be disclosed by Rule 16.
- ☒ The Government has or expects to have reports of the following examinations and tests:
- ☐ Drug Analysis ☐ Handwriting ☐ Fingerprints
- ☐ DNA ☐ Firearms/Nexus ☐ Gun Operability
- ☒ Computer Forensics ☐ Other: _____

E. Reciprocal Discovery

- ☒ The Government seeks reciprocal discovery.

F. Notice Under FRE 404(b)

- ☐ The Government does not presently intend to introduce 404(b) evidence.
- ☒ The Government does presently intend to introduce the following 404(b) evidence:

During the same period of time charged in the indictment, Defendant convinced other minors (not associated with the charged counts) to produce and send him explicit pictures and videos in exchange for alcohol and other items.

- ☒ The Government will provide pretrial notice of 404(b) evidence by 3 wks before FPTC.

G. Other Discovery Matters

II. TRIAL

- A. The Government requests a ☒ jury ☐ non-jury trial.
- B. The length of trial excluding jury selection is estimated at 5 days.

III. MISCELLANEOUS

The parties acknowledge that if the case is appropriate for expedited resolution, a joint motion for expedited sentencing shall be filed within 14 days of arraignment.

- ☒ The Government is unaware at this time of any known conflict with defendant's representation by counsel. The United States will immediately advise counsel if any such conflict becomes known.
- ☐ The Government is aware of the following potential conflicts:

- ☒ Government's plea negotiation policy:

No concessions unless plea hearing is completed at least 3 weeks before FPTC.

Date November 7, 2024

Olivia Kay Ghiselli
Counsel for the United States

☒ The Government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:

☒ State

Case No.	24-126970	Re:	Snapchat (Defendant, MV2)
Case No.	24-126970	Re:	Yahoo
Case No.	24-126970	Re:	T-Mobile
Case No.	24-126970	Re:	Google
Case No.	24-051469	Re:	Defendant's residence
Case No.		Re:	Defendant's phone (from 07/18/24)
Case No.	24-051469	Re:	Venmo/PayPal
Case No.	24-126970	Re:	Amazon
Case No.	24-126970	Re:	Block/CashApp
Case No.		Re:	Blink (from 7/5/24)